

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE NAVARRETE, et. al.,

Defendant.

NO. C01-53341JET  
CR 91-1041JET  
ORDER

THIS MATTER comes on before the above-entitled Court upon Defendant Jose Navarrete's Motion For Relief Pursuant to Fed.R.Civ.P. 60(b).

Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Defendant's motion invokes Booker to justify relief from this court's previous denial of his §2255 petition. Defendant's current motion is properly construed as a second or successive §2255 motion. Defendant has not obtained prior authorization from the Ninth Circuit Court of Appeals to file a second or successive motion. Accordingly, Defendant's motion is DISMISSED for want of jurisdiction.

1 IT IS SO ORDERED.

2 The clerk of the court is instructed to send uncertified copies of this Order to all counsel of  
3 record.

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5 DATED this 29th day of September, 2005.

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7 /s JACK E. TANNER

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9 JACK E. TANNER  
10 SR. UNITED STATES DISTRICT JUDGE  
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